

---

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 203.004-US)

In the Application of: **BALLERSTADT ET AL.** ) Group Art Unit: **1651**  
  )  
Serial No: **10/735,153**                          ) Examiner  
  )  
Filed: **DECEMBER 12, 2003**                      )  
  )  
Title: **DEVICE AND METHOD FOR**  
**ANALYTE SENSING**                                  )

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**THIRD INFORMATION DISCLOSURE STATEMENT**

Dear Sir:

Submitted herewith is one (1) sheets of a modified Form PTO-1449. A copy of each document cited on the attached Form PTO-1449 is also submitted.

It is respectfully requested that the Examiner make his/her consideration of these documents formally of record.

Respectfully submitted,



Neil A. Steinberg  
Reg. No. 34,735  
650-968-8079

Date: January 24, 2005  
02/01/2005 CNGUYEN 00000038 10735153  
01 FC:1806    180.00 OP

<b>PTO-1449 (Modified)</b> <b>U.S. DEPARTMENT OF COMMERCE</b> <b>PATENT AND TRADEMARK OFFICE</b>  <b>INFORMATION DISCLOSURE STATEMENT</b> <b>BY APPLICANT</b>	ATTY. DOCKET NO. <b>203.004-US</b>	SERIAL NUMBER <b>10/735,153</b>
	<b>APPLICANT(S)</b> <b>Ballerstadt et al.</b>	
	<b>FILING DATE</b> <b>December 12, 2003</b>	<b>GROUP ART UNIT</b> <b>1651</b>

**U.S. PATENT DOCUMENTS**

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE
	6,383,767	5/2002	Polak			
	6,694,158	2/2004	Polak			

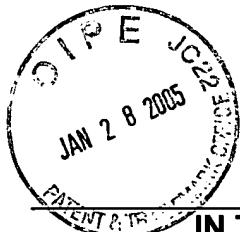
**FOREIGN PATENT DOCUMENTS**

EXAMINER INITIALS	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES/NO

**OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)**

	"Fiber-Optic Biosensors Based on Fluorescence Energy Transfer", Meadows et al., Talanta, Vol. 35, No. 2, pp.145-150, 1988
	"Chemiluminescent and Fluorescent Probes for DNA Hybridization Systems", Heller et al., DNA Hybridization Systems, pp.245-257 (1985)
	"Detection of Nucleic Acid Hybridization by Nonradiative Fluorescence Resonance Energy Transfer", Cardullo et al., Proc. Natl. Acad. Sci. U.S.A., Vol. 85, pp.8790-8794, December 1988
	"Affinity Sensor: A New Technique for Developing Implantable Sensors for Glucose and Other Metabolites", Schultz et al., Diabetes Care, Vol. 5, No. 3, pp.245-253 (1982)

EXAMINER	DATE CONSIDERED
<b>EXAMINER:</b> Initial citation if reference was considered. Draw line through citation if not in conformance to MPEP 609 and not considered. Include copy of this form with next communication to applicant.	



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 203.004-US)

In the Application of: **BALLERSTADT ET AL.** ) Group Art Unit: **1651**  
Serial No: **10/735,153** )  
Filed: **DECEMBER 12, 2003** )  
Title: **DEVICE AND METHOD FOR**  
**ANALYTE SENSING** )

---

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**Certificate of Mailing under 37 CFR 1.8**

I hereby certify that the attached: **(1)** Third Information Disclosure Statement (1 page + Modified PTO-1449 (1 sheet) and References cited therein); **(2)** Fee Transmittal (1 page + 1 copy thereof); **(3)** Check (\$180.00) are being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to:

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

on January 24, 2005.

*Michiko Sites*  
Signature

*Michiko Sites*  
Print Name of Person Signing Certificate



JFW

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
(Case No. 203.004-US)

In the Application of: **BALLERSTADT ET AL.** ) Group Art Unit: **1651**  
Serial No: **10/735,153** )  
Filed: **DECEMBER 12, 2003** )  
Title: **DEVICE AND METHOD FOR**  
**ANALYTE SENSING** )

Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**FEES TRANSMITTAL**

Dear Sir:

Transmitted herewith is a **Third Information Disclosure Statement** (1 page + Form PTO-1449 (1 sheet) and references cited therein.

The fee has been calculated as shown below:

CLAIMS AS AMENDED									
	Claims Remaining	Highest Number Previously Paid	Extra	Rate		Amount			
				Large	Small				
<b>Number of Claims In (in excess of 20)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$50.00</b>	<b>\$25.00</b>	<b>-0-</b>			
<b>Independent Claims (in excess of 3)</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>\$100.00</b>	<b>\$200.00</b>	<b>-0-</b>			
<b>Extension Fee:</b>	<b>a) One Month</b>			<b>\$120.00</b>	<b>\$60.00</b>	<b>-0-</b>			
<b>Filing of Information Disclosure Statement (37 C.F.R. §1.17(p)):</b>						<b>\$180.00</b>			
						<b>TOTAL FEE DUE: \$180.00</b>			

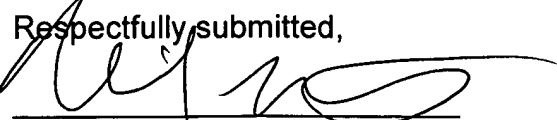
**Method of Payment:**

A check payable to the Commissioner of Patents and Trademarks, in the amount of \$180.00 is enclosed as payment of the Total Fee.

Please charge my Deposit Acc. 50-0763 in the amount of \$ \_\_\_\_\_ to cover the above fees. A duplicate copy of this sheet is enclosed.

The Commissioner is hereby authorized to charge any fees that may be required, or credit any overpayment to Deposit Acc. 50-0763. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

  
Neil Steinberg, Reg. No. 34,735  
Telephone No. (650) 968-8079

Date: January 24, 2005